GOVERNMENT OF INDIA
WATER RESOURCES, RIVER DEVELOPMENT AND GANAGA REJUVENATION
LOK SABHA

UNSTARRED QUESTION NO:128
ANSWERED ON:02.02.2017
Tribunal for Inter-State River Water Sharing Disputes
Rao (Avnthi) Shri Muthamsetti Srinivasa;Reddy Shri Ch. Malla;Shetti Shri Raju alias Devappa Anna;Suman Shri Balka

Will the Minister of WATER RESOURCES, RIVER DEVELOPMENT AND GANAGA REJUVENATION be pleased to state:

(a) the details of inter-State river water sharing disputes pending with the Government as on date;
(b) whether there is any proposal to constitute a single permanent Tribunal to deal with all inter-State river water sharing disputes by dispensing various existing Tribunals, if so, the details thereof;
(c) whether all the concerned States have been consulted in this regard, if so, the details thereof and the response received therefrom; and
(d) the steps taken/to be taken to expedite the process of resolving each water sharing dispute amongst States?

Answer

THE MINISTER OF STATE FOR WATER RESOURCES, RIVER DEVELOPMENT AND GANGA REJUVENATION

(DR. SANJEEV KUMAR BALYAN)

(a) The Parliament has enacted Inter- State River Water Disputes (ISRWD) Act, 1956 for adjudication of disputes relating to waters of inter-State rivers and river valley thereof. When any request under the said Act is received from any State Government in respect of any water dispute on the inter-State rivers and the Central Government is of the opinion that the water dispute cannot be settled by negotiations, the Central Government constitutes a Water Disputes Tribunal for the adjudication of the water dispute. Currently, 5 water disputes Tribunals are active, details of which are given at Annexure.

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Further, Government of Bihar sent a request on 27.11.2013, under provisions of ISRWD Act, 1956 to this Ministry, for constitution of water dispute tribunal for adjudication of water disputes related to Sone river basin. The Ministry settled this dispute through negotiations by using the services of GFCC & CWC.
Recently, in 2016, State of Odisha filed complaint under Section 3 of the ISRWD Act, 1956 in respect of Mahanadi basin and Central Government has constituted a negotiation committee to find a negotiated settlement of the dispute.

(b) to (d) The proposal for amendment to existing Inter-State River Water Disputes Act, 1956 (amended lastly in 2002), is under consideration of the Ministry to further streamline the adjudication of inter-State river water disputes by constituting a standalone Tribunal with permanent establishment and permanent office space and infrastructure so as to obviate with the need to set up a separate tribunal for each water dispute which is invariably a time-consuming process.

On the directions of PMO, NITI Aayog took inter-state Secretary level meeting along with representatives of concerned Central Ministries for deliberation on the proposed Bill on 28.01.2016. Subsequently, PMO vide letter dated 11.04.2016 forwarded comments of States so received on the proposed Bill to this Ministry for consideration. The proposal of amendment to the ISRWD Act has been accepted by most of the States and apprehensions raised by some of the States have been addressed in the proposed Bill.

Cabinet Note in this regard, was sent for consideration of the Cabinet and PMO on 06.12.2016 and was approved by the Cabinet on 07.12.2016. Subsequently, the Ministry has initiated further process to introduce of the Bill in the Budget Session, 2017 of the Parliament.
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ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PART (a) OF UNSTARRED QUESTION NO. 128 TO BE ANSWERED ON 02.02.2017 IN LOK SABHA REGARDING TRIBUNAL FOR INTER-STATE RIVER WATER SHARING DISPUTES

Status of Inter-State river water disputes subjudice under Tribunal

S.
No Name of Tribunal States concerned Date of constitution Present Status
1. Ravi & Beas Water Tribunal Punjab, Haryana and Rajasthan April, 1986 Report and decision under section 5(2) given in April, 1987. Clarification/explanation sought from the Tribunal under Section 5(3) of the said Act by the party States.
2. Cauvery Water Disputes Tribunal Kerala, Karnataka, Tamil Nadu and Puduchery June, 1990 Report and decision given on

5.2.2007 which was published vide Notification dated 19.2.2013. Further, report of CWDT u/s 5(3) of the Act is awaited. The party States have also filed Civil Appeals against the order of CWDT dated 5.2.2007 before the Supreme Court. Supreme Court has passed a judgement dated 09.12.2016 on the admissibility of Civil Appeals filed by the party States and upheld the maintainability of the Civil Appeals. As such the matter is subjudice.

3. Krishna Water Disputes Tribunal -II Karnataka, Telengana, Andhra Pradesh and Maharashtra April, 2004 Report and decision given on 30.12. 2010. Further report given by the Tribunal on 29.11.2013. However, as per Supreme Court Order dated 16.9.2011, till further order, decision taken by the Tribunal on references filed by States and Central Government shall not be published in the official Gazette. As such, matter is sub-judice. Term of the Tribunal has been extended for a further period of two year w.e.f. 1st August, 2014, and thereafter for a further period of one year w.e.f. 01.08.2016, to address the terms of reference as contained in section 89 of Andhra Pradesh Reorganisation Act, 2014. The matter is under adjudication in the Tribunal. The Government of Telengana has filed a SLP 33623-26 of 2014 and WP(C) 545 of 2015 in the Hon'ble Supreme Court in the matter. The matter is thus sub-judice.

4. Vansadhara Water Disputes Tribunal Andhra Pradesh &Odisha February, 2010

However, as per the Supreme Court order the date of reckoning of the constitution of the Tribunal is w.e.f. 17.9.2012 Report and decision not given by the Tribunal. Vansadhara Water Disputes Tribunal in its Interim Order dated 17.12.2013 has directed to constitute a 3-member Protem Supervisory Flow Management and Regulation Committee on River Vansadhara to implement its Order. State Govt. of Odisha has filed Special Leave to Appeal (Civil) No.3392 of 2014 with regard to the Vansadhara Water Disputes Tribunal Judgement dated 17.12.2013. The matter is sub-judice.

5. Mahadayi Water Disputes Tribunal Goa, Karnataka and Maharashtra November, 2010

However, vide notification dated 13.11.2014

date of reckoning of the constitution of the Tribunal is w.e.f. 21.08.2013 Report and Decision not given by the Tribunal u/s 5(2) of ISRWD Act, 1956.

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